



**Planning & Zoning Commission
Tuesday, June 18, 2024, 6:00 PM
Public Meeting Room / Eagle Town Hall
200 Broadway, Eagle, CO 81631**

This agenda and the meetings can be viewed at www.Townofeagle.org.

PUBLIC WIFI – Eagle Guest

MEETING ACCESS INFORMATION AND PUBLIC PARTICIPATION

1. This will be an in-person meeting with access via Microsoft Teams. First-time users of Teams will need to download the app.

Microsoft Teams meeting

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Phone Conference ID: 524 046 260#

Please Note: All participants must remain muted until they are requested to speak. This will reduce background noise disruptions for all meeting attendees. When it is your turn to speak, you will have three (3) minutes for public comment. For technical difficulties, please email denise.cardoza@townofeagle.org and we will do our best to assist you.

PUBLIC COMMENTS: If you are unable to attend, public comments regarding any items on this agenda can be submitted to the Planning Department at Planning@townofeagle.org and will be included as part of the record.

6:00 PM - REGULAR MEETING CALLED TO ORDER

APPROVAL OF MINUTES *Approval of minutes from the following meeting(s) of the Planning & Zoning Commission.*

1. Minutes Dated 6.04.2024

PUBLIC COMMENT

Citizens are invited to comment on any item not on the agenda subject to a public hearing. Please limit your comments to three (3) minutes per person. Those who are speaking are requested to state their name & address for the record.

PUBLIC HEARINGS

1. Project: Haymeadow Filing 1, Fourth Amended Final Plat
File # LLA24-01
Applicant: Abrika Properties, LLC and 7 Hermits Condos, LLC
Location Haymeadow Filing 1
Staff Contact: Jessica Lake, Planner II
Request: Approval of Resolution 1, Series 2024, A Resolution of the Planning and Zoning Commission of the Town of Eagle, Colorado Recommending Approval of Haymeadow Filing 1, Fourth Amendment, A Lot Line Adjustment of Tracts RMF-1A and RMF-2A

COMMUNITY DEVELOPMENT DEPARTMENT AND TOWN COUNCIL UPDATE

Staff update to the Planning & Zoning Commission on recent work, upcoming files and decisions made by Town Council.

1. May Department Update

OPEN DISCUSSION

ADJOURN

I hereby certify that the above Notice of Meeting was posted by me in the designated location at least 24 hours prior to said meeting.

Denise Cardoza

Denise Cardoza
Administrative Technician II



MEETING MINUTES
Planning & Zoning Commission
June 4, 2024, 6:00 PM
Public Meeting Room / Eagle Town Hall
200 Broadway, Eagle, CO 81631

This agenda and the meetings can be viewed at www.Townofeagle.org.

PUBLIC WIFI – Eagle Guest

MEETING ACCESS INFORMATION AND PUBLIC PARTICIPATION

This was an in-person meeting with an option for the public to attend via Teams.

6:05 PM - REGULAR MEETING CALLED TO ORDER

COMMISSIONERS PRESENT

Bill Nutkins, Laura Hartman, Matt Hood,
Keith Montag, Weston Arbogast, Keegan Winkeller

COMMISSIONERS ABSENT

Keith Klesner, Jennifer Sturgeon

STAFF

Peyton Heitzman – Com Dev Director
Cliff Simonton – Interim Com Dev Director
J. Lake – Planner
S. Dynek – Planner
Denise Cardoza – Com Dev Admin

APPROVAL OF MINUTES

1. Minutes dated April 16, 2024
2. Minutes dated May 21, 2024

The minutes were approved as presented.

PUBLIC COMMENT

There was no public comment.

Chair Hood Opened land use file SS24-01

PRESENTATIONS

Project: Red Mountain Ranch Subdivision Sketch Application for Planning Areas 1 and 2

File: #SS24-01

Applicant: Doug Newby of Tres Birds, with Rocky Cortina and Mike Moore

Location: 17500 US-6, Parcel #1939-331-18-002 and #1939-331-18-003

Staff Contact: J. Lake, Planner II

Request: An application for Subdivision Sketch to review and provide comments on the conceptual plans for Planning Areas (Parcels) 1 and 2 within the Red Mountain Ranch PUD.

Staff reviewed a summary of Planning Area 1 and Planning Area 2 along with concerns with the proposed design that would necessitate a PUD amendment.

Applicant presenting

Rocky Cortina: Reviewed the history of the project, design process and the relationship with the developer. Cortina asked for feedback on the PUD amendment that would require an application later.

Doug Newberry: Presented topics of interest which included: Sustainability, Energy, Water, Biodiversity. Applicant reviewed Eagle climate regarding the passive design for heating and cooling. Passive strategies include the sun, wind and building characteristics. Reviewed net zero possibilities.

Mike Moore: Reviewed the setting and design of the proposed development. Compared a typical development to Red Mountain Ranch. Comparisons include Water Right Dedication vs. Designated Water Demand, Energy Production and Use, and Carbon Footprint. Reviewed enhanced existing off-site stormwater paths, stormwater detention and irrigation ponds, connected public trail systems, connectivity of homes in nature and density of homes withing the site, building orientation to maximize passive principles, boutique hotel and size determination of the hotel. Reviewed parking structures, goals of minimization of cars on site, and view from the homes.

Chair Hood opened discussion:

Commissioner Nutkins: Questions regarding access on HWY 6.

Applicant: Confirmed that CDOT gave only 1 access and specified the roundabout as emergency access

Commissioner Nutkins: Expressed wildfire concerns and questioned the fire plan with that amount of high furl trees, such as the evergreen trees.

Applicant: Spoke about previous conversations with Randy (Fire Marshall) regarding the fire concerns and getting guidance from Fire in future applications to mitigate the fire risk. Also, spoke to the current efforts of fire mitigation at the site.

Chair Hood: Commented on the 30' setback on evergreens within the 90' in between buildings within the development. Commented on the renderings.

Commissioner Nutkins: Commented on the need for public river access.

Applicant: Explained that there is a 1-acre park that the town can utilize for public river access. Plans show pedestrian access for back-and-forth town access along with the discovery trail with an easement. There will also be a nature center with a 3-acre river park donated to the town.

Commissioner Nutkins: Commented on energy savings and the idea that the development as described would be 100% solar.

Applicant: Explained that the development will be 100% electric from their calculation, and that it could be net zero if built with solar. Discussed the connectivity with storing energy Holy Cross.

Commissioner Hartman: Expressed appreciation for desire to respect the river corridor and sustainability. Expressed concern over the applicability of affordable housing regulations and their relevance.

J. Lake: Confirmed that RMR paid a fee in lieu and have met their requirements on affordable housing.

Commissioner Hartman: Requested more information on the Hotel and potential size and equivalency to the Hotel in Riverwalk and will it be strictly a hotel or will it include vacation homes.

Applicant: The estimation without certainty is that there will be 20% vacation homes occupied 50% of the year. What the HOA will not allow and AirBnB abuse: unsure if that outcome. The rental component would not be the majority.

Commissioner Hartman: Confirmed that the number of vacation homes are not based off a calculation. Expressed concern over wildlife and potential increase of animal welfare issues with the additional traffic.

Applicant: Commented that Highway 6 lowers speed to 45 and will be lower with the build out of East Eagle. Added, there will be additional mitigation components that appear in the images provided and additional setbacks required by the electric company.

Commissioner Nutkins: Commented on water consumption, irrigation, non-potable water and water rights.

Applicant: Confirmed that the Association will manage water, but residents may use their own water to water their plants, but the majority will be HOA watered.

Commissioner Montag: Asked for clarification on whether there will be public access on the trails and will it include fisherman access. Commented on access control from a public trail to prevent trampling and footpaths. Commented on BLM property lines and the public trail.

Applicant: Referred to the PUD in regard to the fishing issue. Confirmed that there will be separate access points and that that differ from residential and fisherman use. Reviewed the attempted trade with BLM, and timeline possibilities for leasing.

Commissioner Montag: Appreciated the hotel concept and encouraged including a restaurant and expressed the need for ancillary services for guests.

Applicant: Confirmed that there will be a full restaurant and beer garden that will allow for breakfast, lunch and dinner. All contemplated as part of the hotel.

Commissioner Nutkins: Asked whether the hotel will be branded.

Applicant: Confirmed that branding may be an option, but that the idea is to remain independent.

Public Comment:

There was no public comment.

Discussion:

Commissioner Winkeller: Appreciated hotel and adds vibrancy to the hotel and appreciated the restaurant. Appreciated to effort to maintain connectivity to Eagle.

Commissioner Nutkins: Expressed appreciation for the presentation and conservation approach. Expressed the need to follow the guidelines for roads, utilities and distribution of the association wide irrigation. Agrees that the Hotel in a good asset. Referenced the upcoming hotels in Gypsum.

Chair Hood: Voiced concerns with Planning Area 2 and the PUD Amendment regarding the boutique hotel and the standards that must be met and the added density. Referenced the Eagle River Corridor Plan and recommended a closer look at policies in the relevant subarea plan as the applicant considers a PUD amendment. Expressed concern over the connectivity to Eagle as the proposed development is 1.5 miles away from Broadway.

Applicant: Offered the solution of pedal assisted bikes owned by a hotel and can be usable to go into town and use a bike friendly route.

Commissioner Nutkins: Agreed with Chair Hood regarding the standards and the burden on the applicant to prove compliance.

Commissioner Montag: Acknowledged the challenge of the narrow site from a design perspective.

Commissioner Hartman: Recommended reaching out to the Eagle River Coalition for their thoughts on river impacts.

J. Lake: Asked if the Commissions wanted to see the RAMP (Riparian Area Management Plan) or the Design Guidelines.

Applicant: Clarified that the Town needed to approve the RAMP and the Design review guidelines, but that they are in draft form.

Chair Hood: Most appropriate to be brought in together at time of development permit application.

J. Lake: Confirmed that Commissioner Sturgeon sent in comments and that they will be shared with the applicant.

Chair Hood requested that Commissioner Sturgeons comments be added to the completed minutes.
(See exhibit A as added to the last page of the minutes.)

Chair Hood closed file SS24-01

Public Comment:

No Public comment. Chair Hood Closed Public comment

Chair Hood Opened land use file SUP24-01

PRESENTATIONS

Project: Sweet Leaf Pioneer Special Use Permit

File: #SUP24-01

Applicant: Dave Manzanares with Dieneka Manzanares in attendance

Location: 825A Chambers Ave

Staff Contact: Sydney Dynek, Planner

Request: An application for a Special Use Permit to include marijuana medical retail, with optional cultivation premises and consolidate it with the existing recreational marijuana cultivation, medical and recreational marijuana retail at the store's existing location.

Staff confirmed that no public comment had been received. Staff reviewed site layout and reviewed previously approved special use permit SUP18-09 and current criteria for approval including Comprehensive Plan, Continued Maintenance, LUDC standards conformance and offsite impacts. Staff found conformance in all criteria. No issues have been identified.

Staff is recommending **approval** with conditions based on conditions of approval and reviewed all conditions of approval.

Discussion

Commissioner Nutkins: Requested additional clarification on whether this permit replaces SUP18-09 or would this create an additional permit.

S. Dynek: The SUP 18-09 replaces the previous 3 permits, so we can include that in the conditions.

Commissioner Nutkins: Requests clarification on what differentiates recreational or medical marijuana permit

P. Heitzman: Clarified that the applicant currently holds a Special Use Permit that was approved in 2018 which accounts for several uses that allow for marijuana operations. This application is for an additional Special Use Permit and is specific for additional operations related to medicinal marijuana cultivation. Both permits will be maintained by the applicant. The previous permit will remain valid, and the current application will allow both medical and recreational growth operations within the same cultivation space.

Commissioner Nutkins: Requested clarification on the limit to the number of permits one property may hold. Requested additional clarification on whether there was a change when the new code was adopted.

C. Simonton: Added that there currently is no process to amend a Special Use Permit.

J. Lake: Clarified that the Town doesn't have limits on special use permits, however licenses are limited. Business licenses are processed by the town clerk.

Commissioner Nutkins: Requested more information on medical marijuana and recreational marijuana and if there is a need for separation of the plants in regard to their purpose; medical vs. recreational.

Applicant: Clarified that although business licensing is done through Jenny (Town Clerk) marijuana licensing is done through the State. Medical and Recreational plants may be comingled, but a plant tag is used as an identifying factor.

Commissioner Nutkins: Requested clarification on only selling medical marijuana for medical uses and recreational marijuana for recreational uses.

Applicant: Acknowledged current conversations happening at the state level regarding the transfer of plants (medical and recreational) and that they currently have ability to do a transfer of some plants.

Commissioner Nutkins: Requested clarification on whether the applicant will be giving up current recreational use marijuana plants to replace them with medical marijuana plants when the assumption is that the majority of their business comes from recreational sales.

Applicant: Confirmed that with the current grow operation they are not using all the space dedicated to cultivation. The purpose was to utilize the space they have and not have two locations.

Commissioner Nutkins: Thanked the applicant for their clarification.

Public comment

Kris Miller, 106 Cameron Place, Edwards, Co: Represents property owner at 11 Eagle Park East, located directly to the east of Sweet Leaf Pioneer. Property owners purchased this property in 2022. Expressed concern over the odor of marijuana and its effect on the tenants. Reviewed the tenants currently residing at the building. Odor mitigation filtration system has been installed at this property indoors, however the tenants still have concerns over not being able to open windows and the costs involved in the maintenance of their odor mitigation system. The commenter expressed parents' concerns over minors subjected to the odor at the orthodontics office. The commentator added that property owners' ability to do business is potentially being negatively affected. Requests additional odor mitigation before approval is made. Commenter requested P&Z table or deny the recommendation for approval for the Special Use Permit.

There was no additional public comment.

Chair Hood closed public comment

Discussion.

Chair Hood: Referenced Standards for Special Use: Criteria #4: Off-Site Impacts. He reviewed the need to evaluate the new Special Use Permit under the current standards as a new permit and not whether it was a change to the previous permit. Requested that the applicant review how their odor mitigation works.

Applicant: Acknowledged that it is nearly impossible to eliminate the odor of marijuana, much like the odor of coffee. The applicant assured the Commission that they have worked with the Town and have proper carbon filters intact to mitigate this odor to the marijuana standards. Applicant reviewed what is currently being used

to mitigate odor. The applicant confirmed that the number of plants are not changing, so odor will not increase. They will be removing some retail plants and replacing them with medical plants.

Commissioner Nutkins: Requested clarification on if the applicant will be keeping the same amount of plants, considering they will be reducing the number of recreational plants to make room for additional medicinal plants. Requested clarification on the underutilization of the current space.

Applicant: Confirms that they had space and wanted to move the medical grow into their current space. Clarifies that they currently have 2000 plants. They will grow 1,500 for retail and 500 for medical.

Commissioner Nutkins: Requested confirmation that they will be reducing the amount of retail plants to make room for the additional medical plants.

Applicant: Confirmed they would be reducing the amount of recreational plants to make room for the additional medical plants. Added that they only grow what they sell and there are no wholesales to other dispensaries. The state only allows a specific number of plants based on the tier system the state has put in place.

Commissioner Nutkins: Asked for clarity on if the recreational sales were down.

Applicant: Confirmed that the medical sales were down. Requested why the Commission was asking about sales.

Commissioner Nutkins: Explained that he was trying to understand (the operation).

Commissioner Hartman: Requested clarification on if the applicant will be vacating the previous building and moving plants from the secondary building to a primary building, and if there a specific number of plants allowed in the primary building.

Applicant: Explained that the tier they have purchased allows for 1-3,000 recreational plants.

Commissioner Hartman: Requested clarification on the amount of additional medical marijuana plants allowed in addition to the recreational plants.

Applicant: Confirms that there are an additional 1,500 medical plants allowed per their medical tier.

Commissioner Hartman: Requested additional information on if the allowances get combined to create the possibility of growing 4,500 plants under one roof.

Applicant: Commented that they don't plan on planting additional plants as they are selling the same amount that they are currently growing.

Commissioner Hartman: Requested confirmation that if the special use permit was approved and that if the demand was there that the applicant would be able to increase their number of plants up to 4,500 in one building.

Applicant: Confirmed that if the special use permit was approved and that if the demand was there that the applicant would be able to increase their number of plants up to 4,500 in one building.

Commissioner Nutkins: Asked staff if there has been additional formal complaints?

S. Dynek: Confirmed that no formal complaints have been received.

P. Heitzman: Confirmed the Location on Marmot has been closed.

Applicant: Commented that this was an oversight, and the Special Use Permit was moved 4 years ago and the grow should have been moved with it. The applicant did a change of location with the State and the Town did not issue a special use permit. Applicant confirmed that the medical marijuana plants are already being grown in the current building and have been there for the previous 3 years along with the recreational plants.

Commissioner Nutkins: Asked if there was anything they could do beyond what is minimally required to enhance the HVAC system to mitigate the odor?

Applicant: Expressed that they would be open to any new options for odor mitigation as new technology becomes available.

P. Heitzman: Received complaint regarding odor from neighbor 1 year ago to the south of the building on Chambers. No formal complaint but we have received notice.

Commissioner Montag: Requested clarification on if the State has additional requirements.

Applicant: Confirmed that the state has requirements which include a town business license and a letter from the property owner acknowledging the type of business.

Commissioner Montag: Requested the applicant to confirm that the current operation is in conformance with the state standards.

Applicant: Confirms that their current operation is in conformance with the state standards.

Commissioner Hartman: Raised concern on the ability of the Town to have a higher threshold for odor than the state. Expressed sympathy for the neighbors feeling left out of the process. Acknowledges the odor as a legitimate concern, but there won't be an increase in plants so no increase in odor.

Commissioner Montag: In agreement with Commissioner Hartman. Expressed that if the applicant is currently in conformance with State rules and regulations don't see how the commission can impose beyond the State-imposed regulations.

Commissioner Winkeller: Agrees with Commissioners Harman and Montag. Views this as a "Housekeeping" issue that should have been resolved with the original move. Considers that this is the first complaint on record. Voiced concern over applying a higher standard to the odor mitigation would negatively affect their ability to do business.

Commissioner Nutkins: Expressed sympathy for the neighbors and shared previous negative experiences with marijuana odors and expressed understanding of the nature of the complaints. Views this hearing as correcting an oversight and expressed the need for additional complaints before there would be an additional review or revocation. Doesn't see the possibility of denial of the permit at this point.

Chair Hood: Expresses understanding and empathy over the nature of the complaints and can see the situation from both sides. Acknowledges that the zoning allows for this use and doesn't negate that there may be impacts. Mitigating odors is reasonable, denying a permit is not something that the Commission would or should do and is not within the purview of the Commission.

MOTION:

Commissioner Hartman: I move the Planning and Zoning Commission to recommend approval of SUP24-01, allowing Cultivation of Medical Marijuana at 825 Chambers Avenue, based on positive Findings of Fact for the review criteria listed in the Town of Eagle Land Use and Development Code, Section 4.17.080.E, Special Use Permit, with the following conditions:

1) The marijuana business shall maintain existing filtration and odor mitigation facilities.

Montag seconded the motion.

All in favor, none opposed.

Chair Hood closed SUP24-01

Open Discussion

Announcement made regarding Peyton Heitzman promotion to Community Development Director. Discussion around Cliff Simonton, previous Interim Director, staying on during the transition period.

ADJOURN

**MOTION: Chair Hood motioned to adjourn.
Adjourned at 8:37**

EXHIBIT A

Jennifer Sturgeons comments were sent via email to staff on 6/4/2024 and are as follows:

“If moving towards a 60 room boutique hotel and having public facilities like the Farmers Market, Retail store, Community garden and beer garden where are your non-residents and day guests going to park?

Is Hwy 6 parking allowed?

Will there be a turning lane on Hwy 6 at the entrance? More definition to this part of the plan would be helpful. As this site is not too far from the secondary main entrance into Eagle the entrance and exits to this development will be important.”



STAFF REPORT AND CERTIFICATE OF RECOMMENDATION

TO: Planning & Zoning Commission

FROM: Jessica Lake, Planner, Community Development Department

DATE: June 18, 2024

PROJECT: Haymeadow Filing 1, Fourth Amendment, A Lot Line Adjustment of Tracts RMF-1A and RMF-2A

REQUEST: Approval of Resolution 1, Series 2024, A Resolution of the Planning and Zoning Commission of the Town of Eagle, Colorado Recommending Approval of an Amended Final Plat, Known as Haymeadow Filing 1, Fourth Amendment

FILE NUMBER: LLA24-01

APPLICANT: Abrika Properties, LLC and 7 Hermit Condos, LLC

LOCATION: Haymeadow Filing 1

CODE: Chapter 4.17.100 Subdivision

ZONING: Planned Unit Development (PUD) Zone District

EXHIBITS:

- A: Application & Narrative
- B: Draft Final Plat
- C: Preliminary Plan ([LINK](#))
- D: Filing 1 Final Plat ([LINK](#))
- E: Filing 1 Subdivision Improvement Agreement ([LINK](#))
- F: Resolution 1, Series 2024

PUBLIC COMMENT: Notice has been provided, according to Section 4.17.050 of the Land Use Code. Staff has not received any letters of public comment as of June 13, 2024.

BACKGROUND

In May 2019, Abrika Properties LLC received approval for the Filing 1 Final Plat and associated Subdivision Improvements Agreement (the “SIA”) for a residential subdivision within a portion of Haymeadow Neighborhood A-1. Since 2019, Abrika Properties has received approval for three subsequent amendments to the Filing 1 Final Plat.

The 1st Amendment to the Filing 1 Final Plat was approved by Town Council on January 12, 2021. The purpose of this amendment was to reflect as-built utilities and other minor adjustments.

The 2nd Amendment to the Filing 1 Final Plat was approved by Town Council on July 12, 2022. The purpose of this amendment was to adjust the property line between RMF-1 and RMF-2. This application was submitted as part of the larger Development Permit application for these two multi-family parcels.

The 3rd Amendment to the Filing 1 Final Plat was approved by Town Council on August 23, 2022. The purpose of this amendment was to resubdivide Lots 9-15 and Tract F. Filing 1 initially created five duplex lots, this amendment adjusted the lot lines and created seven single-family lots.

This application represents the fourth (4th) Amendment to the Filing 1 Final Plat. The purpose of this application is to vacate four easements that are no longer required as part of the development and to dedicate three new easements. The newly dedicated easements are for utilities and public access.

ISSUES FOR DISCUSSION

1. None.

ANALYSIS

Per the Municipal Code, final plats and amended final plats, are recommended by the Planning and Zoning Commission and decided on by Town Council.

Staff has reviewed this amended final plat for 91 Mount Hope Circle. The standards that staff used to review this application are as follows:

- i) The final plat conforms to the approved Preliminary Plan, including any conditions of approval;
- ii) The development will comply with all requirements of this LUDC; and
- iii) The development will comply with all applicable technical standards and specifications.

Preliminary Plan Conformance:

The Preliminary Plan for Haymeadow was approved in 2014 with the Annexation of the property and PUD Zoning. Staff has reviewed the Preliminary Plan and believes that this amendment is in conformance with that document. The vacation of easements and dedication of new easements does not deviate from the Preliminary Plan. There were no conditions of approval specifically tied to the Preliminary Plan, there are however conditions to be met within the Annexation and Development Agreement and the approved

Subdivision Improvements Agreement for Filing 1. All conditions relative to an amended Final Plat for Filing 1 have been met, with one exception. Requirement 3.b. of the SIA states that “The Parties acknowledge the Ownership, Maintenance, Replacement, and Enforcement Table attached as Exhibit K to the ADA must be updated with the Final Plat, and the updated Table, attached hereto as Exhibit C and incorporated herein by this reference, is hereby approved by the Parties. The Parties further recognize that a definitive written agreement regarding the various responsibilities referenced on Exhibit C is beneficial; therefore, the Town’s final acceptance of the Public Improvements is conditioned upon the Town and the Haymeadow Metropolitan District entering into a mutually acceptable agreement in this regard”. An updated Ownership & Maintenance Agreement has been agreed to by Town Staff and Abrika Properties. The Agreement form is in the process of being updated by the attorney’s so that Council can approve via Consent Agenda. Staff expects to have the Agreement on Consent Agenda for Council’s approval at their next meeting, thereby satisfying all the conditions of approval from the SIA.

LUDC Requirements:

This plat is in conformance with the requirements of the Land Use and Development Code. Staff has reviewed all the applicable Code standards, including the administrative process for Easement Vacations, which includes a criteria for property access, which states “no land adjoining the easement will be left, as a result of the vacation, without adequate public services consistent with applicable standards”. The easements vacated by this Plat are in conformance with this criteria and do not result in any land without adequate public services.

Development will comply with all applicable technical standards and specifications:

Town staff and the Town’s surveyor have provided detailed comments to the applicant and the applicant’s surveyor is currently making the required technical changes required by staff. The final plat will be ready for signatures and recordation within 30 days of approval by Town Council, as noted in the condition of approval.

STAFF RECOMMENDATION

Staff recommends **approval** of File LLA24-01, an amended final plat known as Haymeadow Filing 1, Fourth Amendment with the following condition:

1. The applicant shall record the plat with the County Clerk and Recorder within 30 days of the Town Council’s approval. The Town Planner may grant one administrative extension of this deadline of up to 30 days, upon good cause shown. Any further extensions must be authorized by the Town Council.

PROPOSED MOTION

I move to approve Resolution 1, Series 2024, A Resolution of the Planning and Zoning Commission of the Town of Eagle, Colorado Recommending Approval of an Amended Final Plat, Known as Haymeadow Filing 1, Fourth Amendment.

FINDINGS OF FACT

The Planning and Zoning Commission finds that the Application complies with the applicable criteria in Section 4.17.100.E. of the Eagle Municipal Code.

CONDITION(S) OF APPROVAL:

1. Within 30 days of the date of Town Council's Ordinance, and prior to recordation of the Final Plat, Owner shall make technical corrections to the Application documents as directed by Town staff. The Town Planner may grant one administrative extension of this deadline of up to 30 days, upon good cause shown. Any further extensions must be authorized by the Town Council.



TOWN OF EAGLE
COMMUNITY DEVELOPMENT
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LAND USE & DEVELOPMENT APPLICATION

Pursuant to the Land Use & Development Code, Title 4

ZONING REVIEW	DEVELOPMENT REVIEW	SUBDIVISION REVIEW
☐ Special Use Permit	☐ Minor Development Permit	☐ Concept Plan
☐ Zoning Variance	☐ Major Development Permit	☐ Preliminary Plan
☐ Rezoning	PLANNED UNIT DEVELOPMENT (PUD) REVIEW	☒ Final Plat
☐ Temporary Use Permit	☐ PUD Zoning Plan	☐ Lot Line Adjustment
☐ Amendment to Zone District Regulations	☐ PUD Development Plan	☐ Condominium / Townhouse
☐ Encroachment Permit		☐ Minor Subdivision
☐ Wireless Communications Facility		

PROJECT NAME Haymeadow Filing 1 - 4th Amendment

PRESENT ZONE DISTRICT _____ **PROPOSED ZONE DISTRICT** _____
(if applicable)

LOCATION

STREET ADDRESS Multiple

PROPERTY DESCRIPTION

SUBDIVISION Filing 1 **LOT(S)** _____ **BLOCK** _____
(attach legal description if not part of a subdivision)

DESCRIPTION OF APPLICATION/PURPOSE _____

Easements to RMF-1A and added electrical easement

APPLICANT NAME Michael Hood **PHONE** (970) 331-4492

ADDRESS P0 Box 9091, Avon, CO 81620 **EMAIL** michael@rangeconsultingllc.com

OWNER OF RECORD Abrika Properties **PHONE** (970) 331-4492

ADDRESS 8250 SW 27th Ave, Ocala, FL 34476 **EMAIL** Brandonhcohen@gmail.com

REPRESENTATIVE* _____ **PHONE** _____

ADDRESS _____ **EMAIL** _____

*A representative must submit an affidavit or power of attorney signed by the property owner of record authorizing the representation.

APPLICATION SUBMITTAL ITEMS:

The following submittal materials must be submitted in full before the application will be deemed complete (please check all items that are being submitted):

- ☒ Applicable fees and deposits.
- ☒ Project Narrative, describing the project, its compliance with any applicable review criteria, any impacts to the surrounding area, and any other relevant information.
- ☒ Surrounding and interested Property Ownership Report (see project specific checklist for more information).
- ☒ Proof of Ownership (ownership & encumbrance report) for subject property.
- ☒ Site Plan, drawn to scale and depicting the locations and boundaries of existing and proposed lots and structures.
- ☐ Project specific checklist.

FEES AND DEPOSITS:

See Eagle Municipal Code Section 4.03.080

1. Application fees shall be paid in full at the time of the filing of the application and unless paid, the application shall not be deemed complete. All fees are nonrefundable.
2. As described in Eagle Municipal Code § 4.03.080, third-party consultants may be necessary for the review and processing of applications. These costs ("pass-through costs") must be paid by the applicant. If pass-through costs are expected, the applicant must pay a deposit at the time the application is filed. If at any time the deposit does not fully cover the pass-through costs, the applicant must pay another subsequent deposit before the Town will continue processing the application.
3. The Town may withhold the recording of any Subdivision Final Plat or Development Plan or the signing of any Resolution or Ordinance until all pass-through fees are paid in full.
4. Within 30 days of approval or denial of an application, any remaining deposit shall be returned to the applicant. If an application is withdrawn, any remaining deposit shall be returned to the applicant within 60 days.

I have read the application form and certify that the information contained herein is correct and accurate to the best of my knowledge. I understand that it is my responsibility to provide the Town with accurate information related to this application. I UNDERSTAND THAT FILING AN APPLICATION IS NOT A GUARANTEE THAT THE APPLICATION WILL BE APPROVED.

Signature

4/18/24

Date

FOR OFFICE USE ONLY

DATE RECEIVED _____ BY _____ FILE NUMBER _____
REVIEW FEE _____ DATE PAID _____ RECEIVED BY _____
DATE CERTIFIED COMPLETE _____ BY _____
P&Z HEARING DATE _____ DECISION _____
TC HEARING DATE _____ DECISION _____



Building A Platting Application for
Haymeadow Parcels RMF-1A
Application Narrative
April 3, 2024

ABRIKA Properties, LLC
8250 Southwest 27th Avenue
Ocala FL 34476

Haymeadow Project Team

Property Owner:

Abrika Properties, LLC
8250 Southwest 27th Avenue
Ocala Fl 34476

Owner's Contact

Michael Hood
Range Consulting
PO Box 909
Avon, CO 81620

Land Use Attorney:

Wear Travers Perkins LLC
97 Main Street Suite E 202
Edwards CO 81632

Surveyor:

SGM
18 W. Sixth Street, Suite 200
Glenwood Springs, CO 81601

Background

The RMF-1 Major Development Permit was approved by Town of Eagle on July 12, 2022. The approval included 76 units for development. In the approval the Developer committed to 9 LERP units and 11 Resident Occupied Units in all of RMF-1. The final plat conforms with the Filing 1 Preliminary plan by maintaining the access points defined in Filing 1 preliminary plan. It is also in conformance with no deviations from the major development permit for RMF-1 (DR22-01). The Developer acknowledges that the development complies with all applicable technical standards and specifications.

RMF-1

Now known as 7 Hermit Condos, Parcel RMF-1A is addressed as 91 Mt. Hope Circle. The parcel is designated as multi-family by the PUD Guide and Haymeadow Filing 1 Final Plat. The 7 Hermit Condos includes seventy-six dwelling units in seven buildings. All seventy-six units are for sale, which satisfies condition of approval #13 in ordinance 13-2021.

The Development is in full compliance with the PUD Guide development standards. No design variances were requested. Parking is in compliance with town requirements and includes enclosed individual garages and surface parking spaces. The Alpine Engineering site plan includes a full parking compliance summary. The plan is in full compliance with all of the requirements in Land Use Development Code, such as parking spaces, impervious surfaces, lot coverages, density per acre, LERP units, signage, landscaping and irrigation. While this is only the first building, when completed this property will be in excess of the LERP and RO units committed to with the Major Development Permit application, this commitment was 9 LERP units and 11 RO Units. There will be three LERP units in Building A split with one unit as a two bedroom and two units that are one bedroom: A101, A102 and A103.

Construction Drawings and Specifications

The construction drawings and specifications are on file with the Town of Eagle Building Department, please reference:

Building A: 22TEGL-5796
Building B: 22TEGL-5797
Building C: 22TEGL-5798
Building D: 22TEGL-5799
Building E: 22TEGL-5800
Building F: 22TEGL-5801
Building G: 22TEGL-5802

Final Reports and Studies

The Haymeadow PUD approval addressed all the traffic studies, utility impact reports, drainage plans, and the soils reports were submitted with the Major Development Permit for this parcel. This project is in compliance with all of the previous approvals.

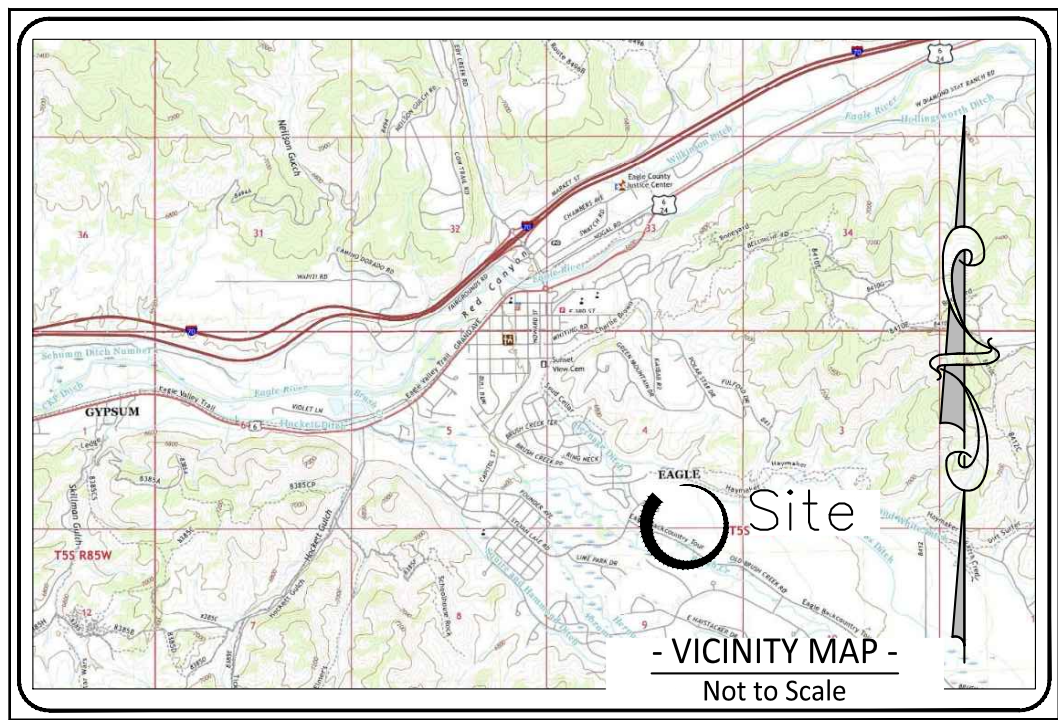
Haymeadow Filing 1 included installation of all necessary public utilities to serve the property and make it development ready. All utilities have been completed and accepted by the Town of Eagle with RMF-1 under a grading permit. The access has been completed per the construction drawings. The access drives, parking areas and building layouts have been designed to meet the requirements of the Greater Eagle Fire Protection District and the standards of TOE Code Section 4.07.150. The building plans show the appropriate fire control systems.

Schedule and Phasing

In Ordinance 13-2021, there was a condition of approval #11 stated that Haymeadow to start construction on 72 units within 36 months of the approval. The developer has met the criteria in Ordinance 13-2021 by starting the construction of 76 units within 16 months of the approval.

The buildings are being phased for turnover and there will be a condo map application for each building.

Haymeadow Filing 1, Fourth Amendment,
A Lot Line Adjustment of Tracts RMF-1A and RMF-2 A
of the Haymeadow Subdivision Filing 1
Situated in Tracts 38 and 55 of Sections 4 and 9,
Township 5 South, Range 84 West of the Sixth P.M.
Town of Eagle, Colorado



CERTIFICATE OF DEDICATION AND OWNERSHIP

Know all men by these presents that we, the undersigned, being sole owner(s) in fee simple of all that real property described as follows:

Tract RMF-2A as depicted on the correction plat of Haymeadow Filing 1, Second Amendment as recorded at Reception No. 202301503 Town of Eagle County of Eagle, State of Colorado.

containing 1.28 Acres (55,772 square feet), more or less. Have by these presents laid out, platted and subdivided the same into lots and tracts as shown on this final plat under the name and style of Haymeadow Filing 1, Fourth Amendment, A Lot Line Adjustment of Tracts RMF-1A and RMF-2A of the Haymeadow Subdivision Filing 1 in the County of Eagle; and do hereby accept the responsibility for the completion of all required public improvements and places as shown on the accompanying plat to the use of the public forever, and do hereby dedicate those portions of said real property which are created as easements on the accompanying plat to the public forever as easements for the purposes shown for the Subdivision, and further, hereby grant the right to install and maintain all necessary structures to the entity responsible for providing the services for which the easements are established.

Executed this _____ day of _____, 2024.

Owner: Abrika Properties LLC

By: _____

Name: _____

P.O. Box 772289

Orlando, FL 34477

STATE OF COLORADO)

) ss.

COUNTY OF EAGLE)

The foregoing Certificate of Dedication and Ownership was acknowledged before me this _____ day of _____, 2024,

by _____

as _____

of: Abrika Properties LLC

Witness my hand and official seal _____

My commission expires: _____

Notary Public

CERTIFICATE OF DEDICATION AND OWNERSHIP

Know all men by these presents that we, the undersigned, being sole owner(s) in fee simple of all that real property described as follows:

Tract RMF-1A as depicted on the correction plat of Haymeadow Filing 1, Second Amendment as recorded at Reception No. 202301503 Town of Eagle County of Eagle, State of Colorado.

containing 5.084 Acres (221,469 square feet), more or less. Have by these presents laid out, platted and subdivided the same into lots and tracts as shown on this final plat under the name and style of Haymeadow Filing 1, Fourth Amendment, A Lot Line Adjustment of Tracts RMF-1A and RMF-2A of the Haymeadow Subdivision Filing 1 in the County of Eagle; and do hereby accept the responsibility for the completion of all required public improvements and places as shown on the accompanying plat to the use of the public forever, and do hereby dedicate those portions of said real property which are created as easements on the accompanying plat to the public forever as easements for the purposes shown for the Subdivision, and further, hereby grant the right to install and maintain all necessary structures to the entity responsible for providing the services for which the easements are established.

Executed this _____ day of _____, 2024.

Owner: 7 Hermit Condos, LLC, a Colorado limited liability company

By: _____

Name: _____

P.O. Box 772289

Orlando, FL 34477

STATE OF COLORADO)

) ss.

COUNTY OF EAGLE)

The foregoing Certificate of Dedication and Ownership was acknowledged before me this _____ day of _____, 2024,

by _____

as _____

of: Abrika Properties LLC

Witness my hand and official seal _____

My commission expires: _____

Notary Public

Lienholder Consent and Subordination Certificate

The undersigned hereby consents to and approves the recording of this First Amended Jenkins Subdivision and the changes reflected on said plat in specific regards to Lot 1 as shown there on and subordinates its lien

recorded as Reception Number _____ in the real property records for Garfield county thereto.

Executed this _____ day of _____, A.D., 2024.

Lien holder Mortgage Electronic Registration Systems Inc. (MERS) as mortgagee, as nominee for Bank of Colorado, its successors and assigns.

LaBarbara Lott

Loan Adjustment Specialist /Truist

111 Millport Circle Greenville, SC 29607

Mail Code #900-01-01-34/ Office: 864-242-9576/ Fax: 864-242-8664

labarbara.lott@truist.com

State of _____)

) ss

County of _____)

The forgoing certificate of dedication and ownership was acknowledged before me this

_____ day of _____, A.D., 2024 by _____

as _____

My commission expires: _____

Witness my hand and official seal

_____ Notary Public

TOWN COUNCIL CERTIFICATE

This plat of Haymeadow Filing 1, Fourth Amendment, A Lot Line Adjustment of Tracts RMF-1A and RMF-2A of the Haymeadow Subdivision Filing 1 is approved by Town Council of the

Town of Eagle, Colorado, this _____ day of _____, 2024, for filing with the Clerk and Recorder of Eagle County, Colorado, and for conveyance or dedication to the Town of Eagle the public dedications shown hereon; subject to the provisions that approval in no way obligates the Town of Eagle for financing or constructing of improvements on said lands, streets or easements dedicated to the public except as specifically agreed to by the Town Council of the Town of Eagle. Further, said approval in no way obligates the Town of Eagle for maintenance of public improvements until construction of said improvements has been completed in accordance with the Town of Eagle's specifications and the Town of Eagle has agreed to accept said improvements. This approval does not guarantee that the size, soil conditions, sub-surface geology, ground water conditions, or flooding conditions of any lot shown hereon are such that a building permit, development permit, or any other required permit will be issued. This approval is with the understanding that all expenses involving required improvements for all utility services, paving, grading, landscaping, curbs, gutters, sidewalks, road lighting, road signs, flood protection devices, drainage structures, and all other improvements that may be required shall be the responsibility of the owners designated hereon and not the Town of Eagle, unless otherwise specifically agreed to in writing by the Town Council.

TOWN OF EAGLE, COLORADO

By: _____

Scott Turnipseed, Mayor

Witness my hand and seal of the Town of Eagle, Colorado

ATTEST: _____

Jenny Rakow, Town Clerk

CERTIFICATE OF TAXES PAID

I, the undersigned, do hereby certify that the entire amount of taxes and assessments due and payable as of

_____ upon all parcels of real estate described on this plat of Haymeadow Filing 1, Fourth Amendment, A Lot Line Adjustment of Tracts RMF-1A and RMF-2A of the Haymeadow Subdivision Filing 1, are paid in full.

Dated this _____ day of _____, A.D. 2024.

Treasurer of Eagle County, Colorado

PLANNING & ZONING COMMISSION CERTIFICATE

This plat of Haymeadow Filing 1, Fourth Amendment, A Lot Line Adjustment of Tracts RMF-1A and RMF-2A of the Haymeadow Subdivision Filing 1 is hereby recommended for approval by the Town of Eagle Planning & Zoning Commission the

_____ day of _____, 2024.

Matthew Hood, Chair

EAGLE COUNTY CLERK AND RECORDER CERTIFICATE

This plat of Haymeadow Filing 1, Fourth Amendment, A Lot Line Adjustment of Tracts RMF-1A and RMF-2A of the Haymeadow Subdivision Filing 1, was filed for record in the office of the Eagle County Clerk

and Recorder at _____ o'clock _____ M. on the

_____ day of _____, 2024, and is duly recorded at

Reception No. _____

EAGLE COUNTY CLERK & RECORDER

By: _____

Deputy

Declarations or Protective Covenants are filed in Book _____ at Page _____, as Document No.

NOTES:

1. The purpose of this plat of Haymeadow Filing 1, Fourth Amendment, A Lot Line Adjustment of Tracts RMF-1A and RMF-2A of the Haymeadow Subdivision Filing 1 is to delineate proposed future structures (lot amendments) as well as to dedicate and vacate the easements as shown hereon.

2. Basis of Bearings: Bearings shown hereon are based on an assumed bearing of N89°57'47"E the line between Corner 2 of Tract 38 a 2 1/2" USGLO Brass Cap on a 1" diameter iron pipe and Corner 1 of said Tract 38 a 2 1/2" Aluminum Cap on a 3/4" rebar as shown hereon with the northwest corner of RMF-2A bearing S50°13'35"E a distance of 1372.50 feet from said Corner 2 of Tract 38.

3. Survey date: February 2024.

4. Units of linear measurements are displayed in US Survey Feet.

5. Property descriptions and easements shown hereon are based on the record document recorded at Reception Number 202214557 as Haymeadow Filing 1, Second Amendment, and the Correction to Haymeadow Filing 1, Second Amendment recorded at Reception No. 202301503.

6. The property shown hereon is subject to all easements, rights-of-way, building setbacks or other restrictions of record, as such items may affect this property. This survey does not represent a title search by this surveyor to determine ownership or to discover esements or other encumbrances of record. All information pertaining to ownership, easements and other encumbrances of record has been taken from the Haymeadow Filing 1, Second Amendment, Reception Number 202214557; those depicted in the Correction to Haymeadow Filing 1, Second Amendment, Reception No. 202301503; as well as the Schedule B Part 2 Exceptions recited on Title Commitment No ABC50070833-2 provided by Old Republic National Title Insurance Company having a commitment date of December 26, 2023.

7. Flood Zone Classification; Flood Hazard Zone information: Zone X according to FIRM Map Number 08037C0393D with an effective date of December 4, 2007.

8. All Tracts located within this plat of Haymeadow Filing 1, Fourth Amendment, A Lot Line Adjustment of Tracts RMF-1A and RMF-2A of the Haymeadow Subdivision Filing 1 are subject to the Town of Eagle, Colorado Resolution No. 7 (series of 2021) recorded at Reception No. 202114804, the Town of Eagle, Colorado Resolution No. 12 (series of 2021) recorded at Reception No. 2021011274 and the First Amended PUD Guide for the Haymeadow Planned Unit Development recorded at Reception No. 202114805.

9. Abbreviations: Aluminum = Alum.; Angle Point = AP; Center line = CL; Diameter= dia.; Land Surveyor = LS; Metropolitan = Metro; Public Land Survey System = PLSS; Principal Meridian = P.M.; Reception Number = Reception No. or Rec.No. or Rec.; Tract = TR; Utility Easement = EU; United States Government Land Office= USGLO;

10. This subdivision shall be subject to the protective covenants filed on recorded for this subdivision in the offices of the Clerk and Recorder of Eagle County, Colorado, in Book _____ at Page _____, as Document No. _____.

SURVEYOR'S CERTIFICATE

I, Scott A. Hemmen, do hereby certify that I am a Professional Land Surveyor licensed to practice land surveying under the laws of the State of Colorado, that this subdivision plat is a true, correct and complete plat of Haymeadow Filing 1, Fourth Amendment, A Lot Line Adjustment of Tracts RMF-1A and RMF-2A of the Haymeadow Subdivision Filing 1 of the Town of Eagle as laid out, dedicated and shown hereon, that such plat was made from an accurate survey of said property by me and under my supervision and accurately shows the location and dimensions of the lots, easements and rights of way of said plat and the same are monumented upon the ground in compliance with applicable regulation governing the subdivision of land, that such plat is based upon the professional land surveyor's knowledge, information and belief, that such plat has been prepared in accordance with applicable standards of practice, and that such plat is not a guaranty or warranty, either expressed or implied.

In Witness Whereof, I have set my hand and seal this _____ day of _____, A.D., 2024.

Colorado Licensed Professional Land Surveyor
Scott A Hemmen
License Number 38182
for and on the behalf of SGM

SGM
118 West Sixth Street, Suite 200
Glenwood Springs, CO 81601
970.945.1004
www.sgm-inc.com

Haymeadow Filing 1, Second Amendment,
A Lot Line Adjustment of Tracts RMF-1 and RMF-2
of the Haymeadow Subdivision Filing 1
Town of Eagle, Colorado

Revision	Date	By
1		
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Notice: According to Colorado Law, you must commence any legal action to enforce this plat within the time period specified in the plat. If you discover such defect in no event may any legal action based upon any error or omission in this plat be commenced more than ten years from the date of the certification shown hereon.

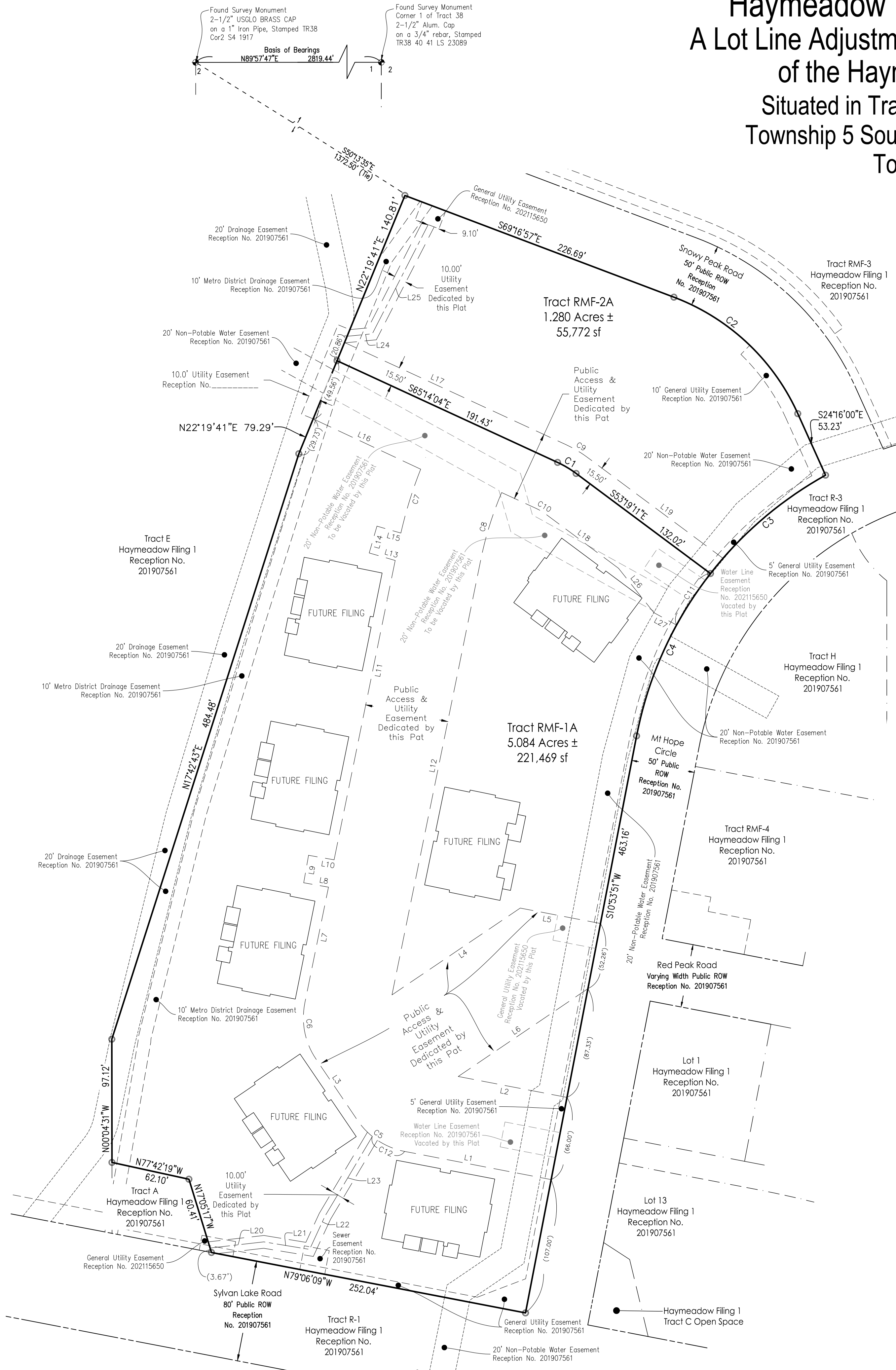
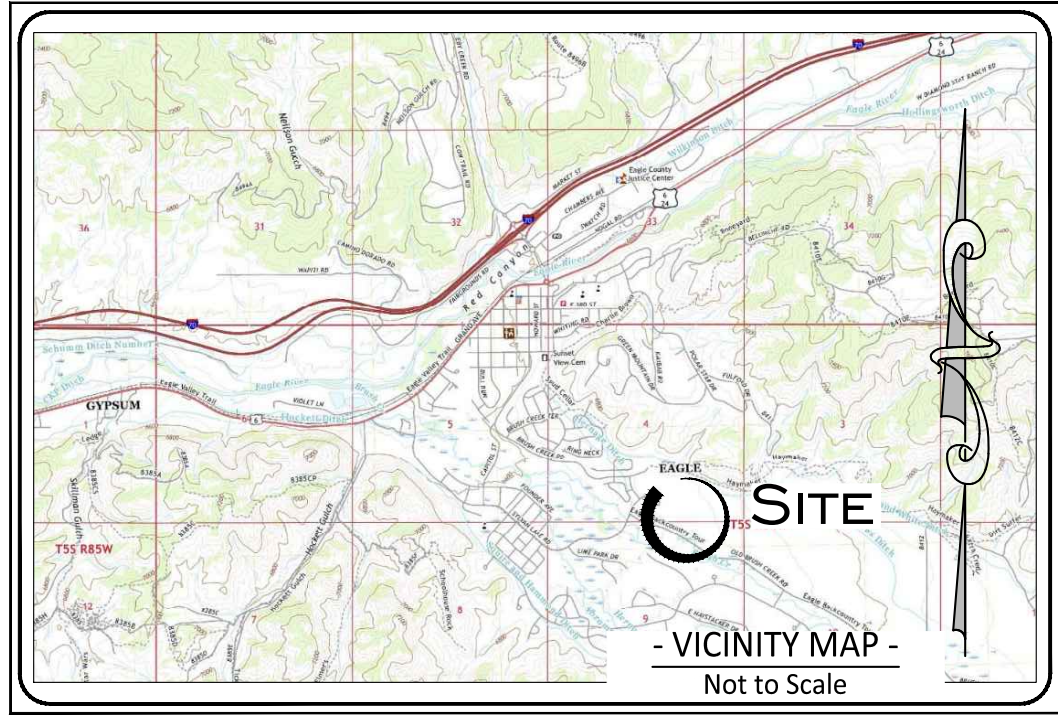
Job No. 2016-277-003
Drawn by: JCE
Date: 240307
Approved: J. PLS. SAH
File: 4thAmendPlat_RMFI-2

Fourth
Amendment

Sheet No.

1

Of: 2



- LEGEND -

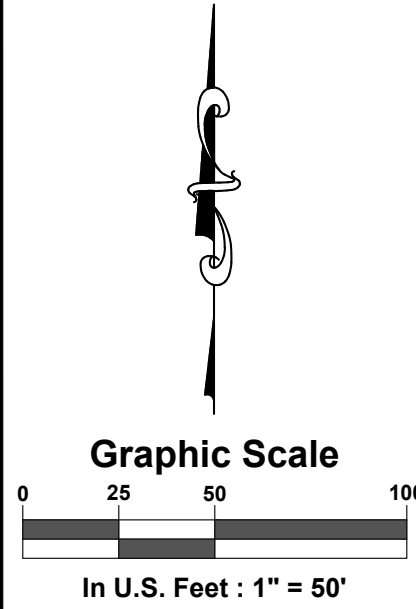
- Found Monument as Described
- Found 5/8" Rebar and 1.25" Plastic Cap stamped LS 38182

LINE TABLE		
LINE #	BEARING	DISTANCE
L1	S79°06'09"E	117.64'
L2	S79°06'09"E	87.38'
L3	S34°06'09"E	58.44'
L4	S55°53'51"W	122.09'
L5	N79°06'09"W	64.41'
L6	N55°53'51"E	123.50'
L7	S11°32'09"W	93.24'
L8	S79°57'47"E	19.85'
L9	N10°02'13"E	22.00'
L10	S79°57'47"E	20.43'
L11	S11°32'09"W	240.83'
L12	S11°32'09"W	351.22'
L13	S73°52'32"E	21.31'
L14	S16°07'28"W	22.00'

LINE TABLE		
LINE #	BEARING	DISTANCE
L15	S73°52'32"E	19.62'
L16	N64°55'05"W	93.60'
L17	S65°14'04"E	192.09'
L18	S53°19'19"E	71.45'
L19	S53°19'11"E	132.78'
L20	S83°28'12"W	42.63'
L21	N80°39'21"W	36.54'
L22	S24°50'46"W	28.79'
L23	S30°41'38"W	73.17'
L24	S84°32'38"W	19.93'
L25	S27°06'43"W	96.71'
L26	N38°32'29"W	44.67'
L27	S61°17'15"E	20.38'

CURVE TABLE					
CURVE #	ARC LENGTH	RADIUS	DELTA ANGLE	CHORD BEARING	CHORD LENGTH
C1	17.05'	82.00'	11°54'44"	S59°16'41"E	17.02'
C2	137.49'	175.00'	45°00'57"	S46°46'29"E	133.98'
C3	120.11'	300.00'	22°56'21"	S49°29'01"W	119.31'
C4	141.98'	300.00'	27°06'59"	S24°27'21"W	140.66'
C5	45.55'	58.00'	45°00'00"	S56°36'09"E	44.39'
C6	46.20'	58.00'	45°38'18"	S11°17'00"E	44.99'
C7	52.76'	333.00'	9°04'38"	S17°15'44"W	52.70'
C8	54.46'	267.00'	11°41'11"	S17°22'44"W	54.36'
C9	20.27'	97.50'	11°54'44"	S59°16'41"E	20.23'
C10	8.73'	42.00'	11°54'44"	S59°16'41"E	8.72'
C11	48.70'	300.00'	9°18'05"	S33°21'48"W	48.65'
C12	28.32'	58.00'	27°58'37"	S65°06'51"E	28.04'

Haymeadow Filing 1, Fourth Amendment,
A Lot Line Adjustment of Tracts RMF-1A and RMF-2 A
of the Haymeadow Subdivision Filing 1
Situated in Tracts 38 and 55 of Sections 4 and 9,
Township 5 South, Range 84 West of the Sixth P.M.
Town of Eagle, Colorado



SGM
118 West Sixth Street, Suite 200
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Haymeadow Filing 1, Second Amendment,
A Lot Line Adjustment of Tracts RMF-1 and RMF-2
of the Haymeadow Subdivision Filing 1
Town of Eagle, Colorado

Revision	Date	By
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Job No. 2016-277.003
Drawn by: JCE
Date: 240307
Approved: J. PLS: SAH
File: 4thAmendPlat_RMFI-2

Fourth
Amendment

Sheet No.
2
Of: 2

**TOWN OF EAGLE, COLORADO
PLANNING AND ZONING COMMISSION
RESOLUTION NO. 01
(Series of 2024)**

A RESOLUTION OF THE PLANNING AND ZONING COMMISSION OF THE TOWN OF
EAGLE, COLORADO RECOMMENDING APPROVAL OF AN AMENDED FINAL PLAT,
KNOWN AS HAYMEADOW FILING 1, FOURTH AMENDMENT

WHEREAS, ABRIKA Properties, LLC ("Abrika") owns the real property described as Tract RMF-2A as depicted on the correction plat of the Haymeadow Subdivision Filing 1, Second Amendment, situated in Tracts 38 and 55 of Sections 4 and 9 in the Town of Eagle, Colorado (the "Abrika Property");

WHEREAS, 7 Hermit Condos, LLC ("7 Hermit") owns the real property described as Tract RMF-1A as depicted on the correction plat of the Haymeadow Subdivision Filing 1, Second Amendment, situated in the Town of Eagle, Colorado (the "7 Hermit Property");

WHEREAS, Abrika and 7 Hermit (collectively "Applicant") jointly filed an application for the 4th Amended Filing 1 Final Plat to plat and dedicate new easements in RMF-1A and RMF-2A of the Property (the "Application");

WHEREAS, on June 18, 2024, the Commission held a properly-noticed public hearing on the Application.

NOW, THEREFORE, BE IT RESOLVED BY THE PLANNING AND ZONING COMMISSION OF THE TOWN OF EAGLE, COLORADO AS FOLLOWS:

Section 1. Findings. The Planning and Zoning Commission finds that the Application complies with the applicable criteria in Section 4.17.100.E. of the Eagle Municipal Code.

Section 2. Decision. Based on the foregoing findings, the Planning and Zoning Commission recommends approval of the Application, subject to the following condition: Within 30 days of the date of this Resolution and prior to recordation of the plat depicting the amended Final Plat, Applicant shall make technical corrections to the Application documents as directed by Town staff.

INTRODUCED, READ, PASSED AND ADOPTED ON JUNE 18, 2024.

TOWN OF EAGLE, COLORADO

Matthew Hood, Chair

ATTEST:

Denise Cardoza, Administrative Technician



To: Planning & Zoning Commission
From: Community Development Department
Date: June 18th, 2024
Agenda Item: Community Development Department Update

LONG RANGE PLANNING

ReCode Eagle – The Land Use and Development Code (LUDC) – [link to code](#)

- Staff has identified some process inconsistencies within the Administrative Chapter of the Code and will be working towards amending those process pieces.
- Staff has identified the need to correct inconsistencies between the Use Table definitions and Use Table standards. Staff intends to bring these amendments to Planning Commission in the coming months.
- Staff recently met with the Fire District and the Paramedic District to discuss the current level of service (LOS) standards referenced in the Adequate Public Facilities section of the Code. These meetings are an opportunity to gain input from these agencies on whether these standards need to be updated or clarified. These LOS standards were not updated through the ReCode process.
- Municode has communicated that they will have the Code accessible on the platform by the end of June.
- LUDC24-01 Text amendment to the Land Use Code was approved on June 11th. Town Council pulled the minimum lot standards from the ordinance, requesting staff investigate the appropriateness of the specific square footage proposed. These standards will be presented with a future round of updates.

WUI Code

- Staff are actively engaged in the County-wide Wildland Urban Interface (WUI) Code update process, led by the Eagle County Wildfire Collaborative. This initiative involves collaboration with jurisdictions throughout the Valley to create a WUI Code that caters to our local needs.
- The group held a meeting on June 13th to discuss existing wildfire regulations that existing in Building Codes and Land Use & Development Codes among the participating jurisdictions.

LAND USE APPLICATIONS IN PROGRESS

For more information and to access project documents, visit the Town's [Active Land Use Applications Page](#).

For more information and to access project documents, visit the Town's [Active Land Use Applications Page](#).



- West Eagle Housing - Annexation, Major Development Permit, Subdivision, Zoning
 - Applications in process. No update.
- Haymeadow - Major PUD Amendment
 - A revised application is expected by June 7th, when staff will be meeting with the applicant's representative to discuss the resubmittal application.
- Haymeadow ADA Amendment
 - Staff has continued to meet bi-monthly with the applicant to move towards a resolution for this amendment. Abrika Properties, LLC brought a draft amendment to Council for discussion and has requested that staff continue negotiations with the property owner.
- North Broadway – Annexation and Zoning
 - Applicant has withdrawn their request for PUD zoning following annexation, and has submitted a request for CMU2 zoning for the entire property. The annexation/rezone application is being reviewed for completeness.
- Reserve at Hockett Gulch – PUD Amendment and Major Development Permit (Phase 1b and II)
 - Request will run concurrently with PUDA24-01. Referral comments were due May 10. Issues remain to be ironed out, and a meeting is tentatively scheduled for the week of June 10.
- 4th Amendment to Haymeadow Filing 1 Final Plat
 - Staff has finalized review comments for this application.
 - Code process for this file is Public Hearing with PZ and TC.
 - PZ Public Hearing – Tuesday, June 18, 2024
 - TC Public Hearing – Tuesday, June 25, 2024
- 7 Hermits Condominiums at Haymeadow Filing 1 Final Plat
 - Staff has finalized review comments for this application.
 - Approval of this application is by Town Council, but is not a Public Hearing.
 - TC Consent Agenda – Tuesday, June 25, 2024
- Red Mountain Ranch (RMR) Subdivision Sketch Plan
 - Review comments have been submitted to the project team.
 - P&Z reviewed the conceptual plan and provided comments on June 4TH ; meeting with TC is set for June 11th. The purpose of conceptual review is to review plans and staff's analysis and discuss any big picture concerns with the applicant ahead of a more detailed Development Plan application.
- Sweet Leaf Pioneer Special Use Permit
 - Staff presented the application at June 4, 2024 PZ public hearing.
 - TC Public Hearing- Tuesday, June 25, 2024.



NOTABLE UPDATES

- Big news is that Peyton Heitzman has been selected to serve as the new Community Development Director! Cliff Simonton has agreed to stay on as needed to support the department and Peyton through transition. Staff is overjoyed to see that Peyton's talents will be utilized in a greater capacity.
- Staff continue developing Standard Operating Procedures to enhance consistency, undergo a critical review of where we can improve, and create tools to assist new staff. This work will likely be ongoing for the next few months. To date, staff has completed SOP's for planning review of building permits, invoicing, CivicClerk (posting agendas & packets), encroachment and mobile vending permits, PZ recruitment, recording documents, the referral process and sign permits.
- Staff has met with members of the community on development proposals ranging from small administrative permits to larger development, subdivision, and annexation applications. Pre-application meetings in 2024:
 - June (as of 6.14) - 3
 - May – 3
 - April – 5
 - March – 8
 - February – 6
 - January - 2
- Community Development provides Spanish translation services. These services are utilized by Court, Administration, IT, Building, etc. We have provided 18 points of contact in May, this includes walk-ins, phone calls, and transfers from other departments.
- Planning Capacity Grant Fast-track – This RFP was completed and it can be viewed here: <https://www.bidnetdirect.com/colorado/townofeagle> and is posted on the Colorado APA website. We will be utilizing Downtown Colorado Inc (DCI) as well.
- Incentives Grant: Habitat anticipates having public improvements completed in early June. Shortly after, staff will prepare the final report for DOLA and close out the grant.
- On May 16th staff participated in Habitat's 3-year strategic planning effort involving community members from across the valley.
- Staff participated in the project kick-off meeting for the Eagle SS4A / Transportation Plan. Public Works is managing this project.
- Staff met with Community Builders as part of their stakeholder outreach to share perspectives and ideas from the department regarding affordable housing in the community.
- Staff is currently collaborating with the Sustainability Department to create a presentation for the Planning Commission to discuss the existing sustainability elements in our Land Use Code and future opportunities for implementing sustainability. This presentation is tentatively planned for either August 5th or August 19th.



- Staff is preparing to educational flyers to share with the community. The current focuses are Encroachments, Fencing as well as Planning and Building brochures.

Administrative Approvals (Encroachment Permits, Sign Permits,)

- Currently reviewing 1 Sign Permit.
 - 7 Sign Permits have been approved and issued so far this year.
- 1 encroachment permit has been approved and issued this year

P&Z and Council Meeting Schedule

June 2024	
June 11 th (Town Council)	• ReCode Amendment (continued from May 14th) • SS24-01 RMR Subdivision Sketch • Haymeadow ADA Amendment Discussion
June 18 th (Planning Commission)	• LLA24-01 Haymeadow Amended Final Plat
June 25 th (Town Council)	• SUP 24-01 Sweet Leaf Pioneer SUP • LLA24-01 Haymeadow Amended Final Plat • CT24-01 Haymeadow Bldg. A Condominium Final Plat • Haymeadow Ownership & Maintenance Agreement • Haymeadow Performance Guarantee Landscaping RMF-1
July 2024	
July 2 nd (Planning Commission)	•
July 9 th (Town Council)	•
July 16 th (Planning Commission)	•
July 23 rd (Town Council)	•
August 2024	
August 5 th (Planning Commission)	•
August 12 th (Town Council)	•
August 19 th (Planning Commission)	•
August 26 th (Town Council)	



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